IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

Crl.Rev.Pet.No. 2248 of 2007()

CRA.265/2003 of II ADDL.SESSIONS COURT, KOZHIKODE
CC.120/2002 of JUDL.MAGISTRATE OF FIRST CLASS, PAYYOLI

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

GOVINDANKUTTY NAIR,
S/O.CHAPPU NAIR, `VAISHAK', KOLOTHOOR,
KOZHIKODE.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT/STATE

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1. BABU.C.K., S/O.CHANDUKUTTY,
CHAKKITTAKANDI, IRINGATH, KOZHIKODE.

2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

R2 BY PUBLIC PROSECUTOR SRI AMJAD ALI.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 07/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P. NO. 2248 of 2007

Dated this the 7th day of June, 2007

ORDER

The revision petitioner stands convicted for the offence under section 138 N.I.Act and sentenced to undergo simple imprisonment for one month and to pay a compensation of Rs.33,000/- to the complainant vide section 357 (3) Cr.P.C and in default to undergo simple imprisonment for 3 months. The revision petitioner has only sought for modification of the sentence and time to pay the amount.

2. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. The revision petitioner is granted 4 months' time from today onwards to pay the amount of compensation. The revision petitioner shall appear before the JFCM, Payyoli on 8-10-2007 to receive the sentence.

NBW pending, if any, is to be kept in abeyance till then.

The Crl.R.P is disposed of accordingly.

K.R.UDAYABHANU,JUDGE.

Kvm/